

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 Skyler Dean Fawver,

5 Plaintiff

6 v.

7 Nye County Sheriff's Office, et al.,

8 Defendants

Case No.: 2:22-cv-00914-CDS-NJK

Order Adopting Report and
Recommendation of the Magistrate Judge

[ECF Nos. 12, 13]

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10 This is a 42 U.S.C. § 1983 civil-rights action brought by pro se plaintiff Skyler Dean
11 Fawver. On January 3, 2023, United States Magistrate Judge Nancy Koppe issued a report and
12 recommendation (R&R, ECF No. 13) after screening Fawver's amended complaint (ECF No. 8),
13 recommending that I dismiss without prejudice all claims against the Nye County Sheriff's
14 Office, dismiss with prejudice his Fifth and Eighth Amendment claims against Nye County
15 Sheriff's Deputy Eric Anderson, and stay his Fourth Amendment claim pending resolution of his
16 state criminal case. ECF No. 13 at 4–5. The R&R also recommends that I deny as moot Fawver's
17 motion to amend proof of service (ECF No. 12).

18 Under the local rules, Fawver had 14 days (until January 17, 2023) to file any objections
19 to the R&R. LR IB 3-1(a). As of the date of this order, he has failed to do so. “[N]o review is
20 required of a magistrate judge's report and recommendation unless objections are filed.”¹
21 Because no objection has been filed, I adopt Judge Koppe's R&R (ECF No. 13) in its entirety.


22 IT IS THEREFORE ORDERED that Magistrate Judge Koppe's report and
23 recommendation [ECF No. 13] is **ADOPTED** in its entirety. All claims against the Nye County
24 Sheriff's Office are **DISMISSED** without prejudice. Plaintiff's Fifth and Eighth Amendment
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26 ¹ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 claims against Nye County Sheriff's Deputy Eric Anderson are DISMISSED with prejudice. And
2 plaintiff's Fourth Amendment claim is stayed pending resolution of his state criminal case.

3 IT IS FURTHER ORDERED that the plaintiff's motion to amend proof of service [ECF
4 No. 12] is **DENIED** as moot.

5 DATED: February 1, 2023

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Cristina D. Silva
United States District Judge